IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20082 of 1999

Between:

1.Ch.Vijaya Lakshmi W/o.Vidyasagaqr, aged 42 years, House-wife,

2.C.Vidyasagar S/o.late C.Venkateswarlu, aged 46 years,

Grade I Telugu Pandit;

3,C.Pinaka Pani Kumar S/o.C.Vidyasagar, aged 19 years,Student,

4.C.Sampath Kumar S/o.Vidyasagar, aged 17 years, Student,

rep. By natural guardian-C.Vidyasagar.

(All are residents of Gopal Nagaram 1st Line, Ongole, Prakasam District)

..... PETITIONERS

AND

1.Inspector General of Police, Government of Andhra Pradesh, Hyderabad.

2. The Superintendent of Police, Ongole, Prakasam District.

3. The Station House Officer, II Town Police Station, Ongole, Prakasam District.

4. R.Sreenivasa Rao S/o.Nageswara Rao,aged 34 years, S.I. of II Town P.S., Ongole,Prakasam District.

…..RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other writ, order or direction, directing the Respondents 1 and 2 to issue necessary direction and instruction to the Respondents 3and 4 not to harass and foist criminal cases against the petitioners and grant further directions to Respondent Nos.1 and 2 to protect the lives and property of the petitioners.

For the Petitioners:MR.M.S.N.PRASAD,Advocate.
For the Respondents: GP FOR HOME

The Court made the following :

THE HONOURABLE SRI JUSTICE A.GOPAL REDDY

WRIT PETITION No.20082 OF 1999

ORDER:

Complaining harassment of the petitioners by respondents 3 and 4 by foisting criminal cases against them, the present writ petition has been filed.

It is stated that even after admitting the writ petition and passing the interim order on 04.02.2000 in W.P.M.P.No.25192 of 1999, directing the respondents 3 and 4 not to harass the petitioners by foisting criminal cases against them, two more crimes were registered against the petitioners, which necessitated them to file contempt case in C.C.No.1342 of 2000 for violating the orders passed by this Court, against the Circle Inspector-II, Ongole Town and third respondent in the writ petition.

The third respondent filed counter-affidavit stating that there is a dispute between the petitioners and the father of the first petitioner. In the process, both the parties ie., petitioners and the father of the first petitioner kept on filing criminal complaints against each other and on receipt of such complaints, the Police compelled under law to register the cases and investigate the same. It is also stated that they have no reasons otherwise to register any cases against the petitioners and in fact, all criminal cases registered at the behest of either petitioners or father of the first petitioner were entrusted to the Inspector of Police, Ongole and the Inspector of Police, Ongole has come to the conclusion that the matter pertains to the civil disputes between the parties and sought appropriate directions from his superior officers. In view of the same, the contempt case was dismissed.

The learned counsel for the petitioners submits that all the crimes, which were

registered against the petitioners, were closed and petitioners may be given liberty to proceed further for compensation and at present there is no harassment.

In view of the same, the petitioners are at liberty to proceed against the officers, who are responsible for registering false crimes and causing harassment, for compensation, in accordance with law before the appropriate forum.

The Writ petition is accordingly disposed of. No costs.

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7th July, 2004.

Cs/kmr

To

1.The Inspector General of Police, Government of Andhra Pradesh, Hyderabad.

2.The Superintendent of Police, Ongole, Prakasam District.

3.The Station House Officer, II Town Police Station, Ongole, Prakasam District.

4.Two CCs to the Government Pleader for Home, High Court Buildings, Hyderabad. (O.U.T.)

5.Two C.D. copies.